



United States Attorney  
Southern District of New York

86 Chambers Street, 3rd Floor  
New York, New York 10007

**MEMO ENDORSED**

May 16, 2008

By Hand

Hon. Theodore H. Katz  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 1660  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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Re: Gricelda Nunez v. Astrue  
08 Civ. 0099 (DAB) (THK)

Dear Judge Katz:

This Office represents the Commissioner of Social Security, the defendant in this action. We write respectfully, with the consent of plaintiff's counsel, to request an adjournment of the defendant's time to answer and to propose a briefing schedule.

After one adjournment was granted because this Office had not received the administrative record, defendant was to move and answer the complaint by May 16, 2008. This Office, however, has only recently received the administrative record in this matter. In order to allow time to review the record and, if necessary, to discuss it with Social Security Administration personnel, we respectfully request that defendant's time to answer and move be extended to June 30, 2008. In addition, the parties respectfully request that the Court adopt the following proposed briefing schedule:

Plaintiff's brief in opposition and in support of a cross-motion is due by July 30, 2008.

Defendant's reply, if any, is due by August 13, 2008.

Plaintiff's reply, if any, is due by August 27, 2008.

Plaintiff's counsel has consented to this request.

**SO ORDERED**

5/19/08  
  
THEODORE H. KATZ  
UNITED STATES MAGISTRATE JUDGE

We apologize for the delay in making this request and thank the Court for its attention to this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By: 

JOHN E. GURA, JR.  
Assistant United States Attorney  
Telephone: (212) 637-2712  
Fax: (212) 637-2750

cc: Herbert Forsmith, Esq.  
(By Fax)

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